

Notice of Allowability

Application No.

10/667,051

Examiner

Tam Nguyen

Applicant(s)

QIU, RUI-ZUNG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview on Wednesday, April 12, 2006.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>4-12-06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alan Kamrath on Wednesday, April 12, 2006.

1. The application has been amended as follows:

In claim 1, on line 1, delete "device, comprising:" and insert --device for an exercise bicycle, the device comprising:--

In claim 1, on line 9, delete "secured on the pivot shaft to rotate therewith;" and insert --coaxially secured on the pivot shaft to be rotatable therewith by a rear wheel of an exercise bicycle;--

In claim 1, on line 11, delete "secure" and insert --secured--

In claim 1, on line 13, after "shell" insert --at a distance from the magnetic disk--

In claim 1, on line 23, delete "rotating the action block." And insert --rotating the action block wherein rotation of the action block causes the urging balls to move within the guide slots which displaces the fixing disk relative to the magnetic disk.--

In claim 12, on line 3, delete "and urged"

In claim 12, on line 3, delete "for pushing" and insert --for biasing--

In claim 14, on line 4, delete "the minimum value." and insert --a minimum value.--

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In claim 15, line 1, delete "in accordance with claim 3" and insert --in accordance with claim 14--.

In claim 15, on lines 4-5, delete "the maximum value." and insert --a value greater than the minimum value.--

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

In view of the applicant's amendments and after further consideration of the invention, the claims as presented avoid the prior art of record. The prior art does not disclose a damping device for use with an exercise bicycle wherein the device comprises a support base, a housing that includes a middle component having a mounting ring, a pivot shaft rotatably mounted on the support base, a resistance wheel coaxially secured on the pivot shaft to be rotatable therewith by frictional contact with a rear wheel of an exercise bicycle and an adjustable resistance mechanism. In particular, the resistance mechanism includes a magnetic disk mounted in the housing on an end of the pivot shaft, a fixing disk movably mounted on the mounting ring a distance from the magnetic disk and having magnets aligned with the magnetic disk wherein the fixing disk also has a center formed with a receiving recess having a wall formed with two positioning holes, an action block rotatably mounted in the receiving recess and having a periphery formed with two symmetrical guide slots each having a depth that gradually changes from one end to the other and two urging balls mounted in a respective one of the positioning holes and slidably mounted in the guide slots and a motor having a rotatable spindle fixed to the action block such that when the block is

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rotated by the motor, each ball is urged from one end of a respective guide slot to the other end of the slot which causes the fixing disk to move linearly relative to the magnetic disk thereby changing the resistance force provided by the magnets.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Phillips '081, Kolda et al. '607, Kolda et al. '633, Huang '761 and Wei et al. '273 are representative of the prior art that disclose resistance devices having magnetic or frictional surfaces that are adjustably moved toward or away from each other to change resistive forces.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tam Nguyen whose telephone number is 571-272-4979. The examiner can normally be reached on M-F 9-5.

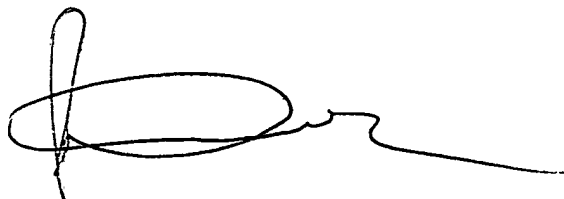
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Huson can be reached on 571-272-4887. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 12, 2006

JEROME DONNELLY
PRIMARY EXAMINER

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line and a small flourish.